



PATENT
Customer No. 22,852
Attorney Docket No. 07738.0173-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Erich P. LERCHENFELD et al.

Application No.: 10/691,581

Filed: October 24, 2003

For: BEVERAGES CONTAINING
PLANT STEROLS

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) Group Art Unit: 1761
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) Examiner: Carolyn A. Paden
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) Confirmation No.: 6955
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed concurrently herewith a Request for Continued Examination.

A copy of the listed foreign document is attached. Copies of the U.S. patent documents are not enclosed. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicants determine

that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

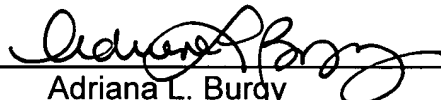
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

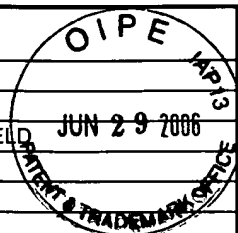
Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 29, 2006

By: 
Adriana L. Burgy
Reg. No. 48,564

206 IDS Form PTO/SB/08: Substitute for form 1449A/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Application Number	10/691,581
		Filing Date	October 24, 2003
		First Named Inventor	Erich P. LERCHENFELD
		Art Unit	1761
		Examiner Name	Carolyn A. Paden
Sheet	1	of	1
		Attorney Docket Number	07738.0173-01



U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-5,880,300	03-09-1999	KODALI	
		US-6,303,803 B1	10-16-2001	KODALI	
		US-6,623,780 B1	09-23-2003	STEVENS et al.	
		US-2003/0068425 A1	04-10-2003	KHARE	
		US-2005/0163872 A1	07-28-2005	KHARE	
		US-2006/0034934 A1	02-16-2006	DeGUISE et al.	

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO 2005/087200 A1	09-22-2005	CARGILL, INC.		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.